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California Regional Water Quality Control Board

Central Valley Region

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22 October 2004

Dennis Wilson
Dennis Wilson Farms, Inc.
164 Princeton Road
Colusa, CA 95932

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 DENNIS WILSON FARMS, INC., SUTTER COUNTY

Regional Board staff has reviewed your 10 October 2004 Report of Waste Discharge (RWD) for coverage under Resolution R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. The RWD included the required filing fee of \$872. Our review finds the RWD to be complete.

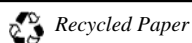
Resolution No. R5-2003-0106 (a copy of which is enclosed), adopted by the Regional Board on 11 July 2003, is a conditional waiver of waste discharge requirements for small food processors. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the projected volume of wastewater to be produced.

Discharge Description

Dennis Wilson Farms, Inc. (Discharger) owns and operates a farm at 10800 South Butte Road in Sutter, Sutter County. The Discharger grows cucumbers, squash, pumpkins and watermelons for seeds. In the past, the Discharger has had the seeds washed and dried off site. However, the Discharger has proposed to construct an on-site seed washing/drying facility prior to the 2005 harvest season. The facility would be constructed on a 23-acre portion of the farm that currently contains grape vines. The washing/drying facility would be contained on a 50 X 90-foot cement pad. Wastewater will be directed off the pad to a flume connected to a wastewater discharge pipe. Wastewater will then flow by gravity to an 18-acre disposal area that is adjacent to the facility.

The seed washing/drying activities will take place between 1 August and 1 November. Because seed washing and drying will not occur when it is raining, wastewater discharge will only occur during dry periods. The Discharger has estimated that approximately 300 gallons per day or approximately 30,000 gallons per year of wastewater will be produced. The Discharger has indicated that, prior to 1 August 2005, a flow meter will be installed at the northern edge of the pad to measure the inflow of supply water into the facility.

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The facility will not contain saline generating equipment, such as water softeners, boilers, or ion exchange units, which would be sources of high strength saline waste. No chemical additives will be added during the washing/drying process. All activities producing wastewater will be conducted on the cement pad, and process wastewater will be piped directly to the disposal area. During the processing season, the cement pad will be kept clear of debris and waste, and, at the end of each processing season, the pad will be thoroughly cleaned to ensure that storm water leaving the pad does not contain waste constituents. Seed washing/drying facilities do not have a SIC Code requiring coverage under the Industrial Stormwater Program.

The Discharger proposes to dispose of the wastewater on an 18-acre site that contains grape vines. The disposal area is level and will be divided into smaller units by means of checks or ridges, placed 75 feet apart, to ensure even distribution of the wastewater. Because this is not an existing facility, wastewater characterization has not been completed. However, based on data generated at a similar facility, it is anticipated that the average concentrations of the following constituents of concern should be:

- Biochemical oxygen demand (BOD) - 600 to 700 mg/l;
- Total Kjeldahl nitrogen (TKN) – 90 to 100 mg/l;
- Total dissolved solids (TDS) – 800 to 900 mg/l.

Using these anticipated concentrations and the maximum allowable wastewater volume of 100,000 gallons per year, anticipated maximum hydraulic and agronomic loading rates for the proposed disposal area have been calculated. Based on these calculations, the proposed disposal area should have adequate hydraulic and nutrient uptake capacity to receive the total wastewater discharge from this facility and remain protective of groundwater and surface water quality.

Solid waste produced by the facility will consist of stems, vines, and blank seeds. The Discharger has estimated that approximately 2 to 3 cubic yards per month of solid waste will be generated at the facility. This material will be dried and used as mulch around redwood trees located on the site.

Conditional Waiver

Based on the information submitted in the RWD, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of wastewater produced. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Prior to discharge of wastewater from this facility, a flow meter must be installed to measure the inflow of supply water into the facility. By **1 August 2005**, a letter must be submitted containing pictures of the installed meter and certifying that the meter is operational.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual report must be submitted by **1 February** of each year.

If the discharge violates the terms or conditions of the waiver, the Regional Board may take enforcement action, including assessment of administrative civil liability. If the method of wastewater and solids disposal change from those described in the RWD, you must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time you must submit a new RWD with filing fee to renew the waiver, or cease the discharge.

Dennis Wilson
Dennis Wilson Farms, Inc.

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If your total annual flow exceeds 100,000 gallons per year, the waiver is no longer applicable to your facility and you must submit a new RWD for individual Waste Discharge Requirements.

If you have any questions, please contact Jim Martin at (916) 464-4685.

-- Original Signed by --

THOMAS R. PINKOS
Executive Officer

enc: General Order No. R5-2003-0106

cc: w/o enc Sutter County Environmental Health Department, Yuba City